

ORDINANCE NO. 2386

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GILBERT BY AMENDING ORDINANCE NO. 2289 PERTAINING TO THE ADORA TRAILS PLANNED AREA DEVELOPMENT BY REZONING APPROXIMATELY 29.28 ACRES OF REAL PROPERTY GENERALLY LOCATED EAST OF THE SOUTHEAST CORNER OF VAL VISTA DRIVE AND RIGGS ROAD, IN ZONING CASE Z12-07, FROM APPROXIMATELY 29.28 ACRES OF SINGLE FAMILY-8 (SF-8) ZONING DISTRICT, WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO 29.28 ACRES OF FAMILY-7 (SF-7) ZONING DISTRICT, WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT; AND RESTATING AND INCORPORATING THE PROVISIONS OF ORDINANCE NO. 2289 HEREIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NON-SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town of Gilbert Town Council desires to rezone certain parcels and amend conditions of development relating to the development of certain parcels within the Adora Trails Planned Area Development (PAD) pursuant to the Town of Gilbert Zoning Code requirements for a Planned Area Development to modify base zoning district regulations to implement policies in the General Plan; and

WHEREAS, the Town Council has determined that this amendment to the Zoning Map and the Planned Area Development conditions of development conforms with the Town of Gilbert General Plan, any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, that certain document entitled Exhibit 3: Amended Development Plan of the Adora Trails Planned Area Development, dated September 6, 2012 is attached hereto and incorporated by this reference.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

1. The Official Zoning Map of the Town of Gilbert, Arizona is hereby amended by amending Ordinance No. 2289 relating to the Adora Trails PAD by changing the zoning classification of real property consisting of approximately 29.28 acres located east of the southeast corner of Val Vista Drive and Riggs Road (the "Property"), as described in the legal description, Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated by reference herein, from 29.28 acres of Single Family-8 (SF-8) zoning district with a Planned Area Development Overlay Zoning District to 29.28 acres of Single Family-7 (SF-7) zoning district with a Planned Area Development Overlay zoning district.

2. Ordinance No. 2289 relating to the Adora Trails PAD are amended by adding new Exhibit 3, attached hereto and incorporated herein, and making that Exhibit part of the Development Plan for the Adora Trails PAD, as set forth in or attached to Ordinances Nos. 2289, to read as follows:

EXHIBIT 3: Amended Development Plan of the Adora Trails PAD, dated September 6, 2012.

3. All dedications, development requirements and development conditions set forth in Ordinance No. 2289 relating to the Adora Trails PAD are incorporated herein and shall remain in full force and effect.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section IV. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the Gilbert Land Development Code. Each day a violation continues, or the failure to perform any

act or duty required by this zoning ordinance, the Zoning Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

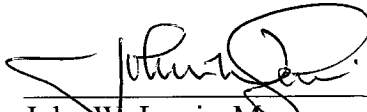
PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 6th day of September 2012, by the following vote:

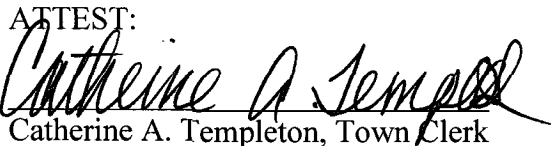
AYES: Cook, Cooper, Daniels, Lewis, Petersen, Ray, Sentz

NAYES: None ABSENT: None


EXCUSED: None ABSTAINED: None

APPROVED this 6th day of September 2012.



John W. Lewis, Mayor

ATTEST:

Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall, & Schwab, P.L.C.
Town Attorneys
By _____

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2386 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 6th DAY OF SEPTEMBER 2012, WAS POSTED IN FOUR PLACES ON THE 13 DAY OF September, 2012.




Catherine A. Templeton, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Zoning Exhibit (Map)
3. Amended Development Plan of the Adora Trails PAD, dated Sept. 6, 2012

FINDINGS OF FACT

Z12-05 – Adora Trails Parcel 5

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town's strategic initiative for Community Livability. It supports the motto "Gilbert: Clean, Safe, Vibrant."

EXHIBIT "A"
ADORA TRAILS – PARCEL 5
ZONING BOUNDARY
LEGAL DESCRIPTION

That portion of Parcel 2 of the Master Plat of Adora Trails, as recorded in Book 1059, Page 26, Records of Maricopa County, Arizona, also being a portion of the Southeast quarter of Section 33 and a portion of the Southwest quarter of Section 34, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found 3-1/4 inch USDOJ brass cap accepted as the Northeast corner of Section 4, Township 3 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, from which a found 1/2" inch rebar accepted as the North quarter corner of said Section 4, thereof bears North 89 degrees 48 minutes 07 seconds West a distance of 2640.47 feet;

Thence, North 89 degrees 48 minutes 07 seconds West a distance of 62.82 feet, along the north line of the Northeast quarter of said Section 4;

Thence leaving said north line, North 00 degrees 20 minutes 58 seconds West, a distance of 635.35 feet, along the east line of the Southeast quarter of said Section 33, to the **POINT OF BEGINNING**;

Thence, North 89 degrees 51 minutes 14 seconds West, a distance of 160.69 feet;

Thence, North 64 degrees 23 minutes 31 seconds West, a distance of 60.92 feet;

Thence, South 00 degrees 08 minutes 46 seconds West, a distance of 138.28 feet;

Thence, South 60 degrees 48 minutes 08 seconds West, a distance of 25.71 feet;

Thence, North 46 degrees 30 minutes 20 seconds West, a distance of 17.50 feet;

Thence, North 89 degrees 51 minutes 14 seconds West, a distance of 114.86 feet;

Thence, North 00 degrees 08 minutes 46 seconds East, a distance of 3.14 feet;

Thence, North 00 degrees 13 minutes 55 seconds West, a distance of 57.30 feet;

Thence, North 07 degrees 25 minutes 33 seconds West, a distance of 61.46 feet;

Thence, North 13 degrees 30 minutes 59 seconds West, a distance of 61.46 feet;

Thence, North 20 degrees 27 minutes 16 seconds West, a distance of 61.46 feet;

Thence, South 66 degrees 30 minutes 01 seconds West, a distance of 115.76 feet;

Thence, North 25 degrees 36 minutes 46 seconds West, a distance of 39.28 feet;

Thence, North 18 degrees 35 minutes 07 seconds East, a distance of 23.33 feet;

Thence, North 63 degrees 35 minutes 07 seconds East, a distance of 50.04 feet to the beginning of a tangent curve, concave northwesterly, having a radius of 536.00 feet;

Thence, northeasterly along said curve, through a central angle of 14 degrees 59 minutes 15 seconds, an arc length of 140.21 feet;

Thence, North 67 degrees 44 minutes 42 seconds East, a distance of 41.39 feet;

Thence, North 42 degrees 23 minutes 47 seconds East, a distance of 41.00 feet;

Thence, North 17 degrees 02 minutes 52 seconds East, a distance of 41.39 feet to the beginning of a non-tangent curve, concave northwesterly, having a radius of 760.88 feet, the center of which bears North 55 degrees 12 minutes 11 seconds West;

Thence, northeasterly along said curve, through a central angle of 13 degrees 00 minutes 11 seconds, an arc length of 172.68 feet;

Thence, North 17 degrees 46 minutes 32 seconds East, a distance of 127.66 feet;

Thence, North 60 degrees 48 minutes 51 seconds East, a distance of 50.34 feet to the beginning of a non-tangent curve, concave northerly, having a radius of 609.68 feet, the center of which bears North 11 degrees 22 minutes 37 seconds East;

Thence, easterly along said curve, through a central angle of 11 degrees 30 minutes 16 seconds, an arc length of 122.42 feet;

Thence, South 89 degrees 51 minutes 14 seconds East, a distance of 341.01 feet to the beginning of a tangent curve, concave northerly, having a radius of 740.00 feet;

Thence, easterly along said curve, through a central angle of 22 degrees 46 minutes 12 seconds, an arc length of 294.08 feet;

Thence, North 77 degrees 55 minutes 26 seconds East, a distance of 51.02 feet;

Thence, North 61 degrees 10 minutes 52 seconds East, a distance of 62.00 feet;

Thence, North 44 degrees 26 minutes 17 seconds East, a distance of 51.02 feet to the beginning of a non-tangent curve, concave northwesterly, having a radius of 740.00 feet, the center of which bears North 35 degrees 00 minutes 50 seconds West;

Thence, northeasterly along said curve, through a central angle of 10 degrees 41 minutes 41 seconds, an arc length of 138.13 feet;

Thence, North 44 degrees 17 minutes 29 seconds East, a distance of 492.20 feet;

Thence, South 45 degrees 42 minutes 31 seconds East, a distance of 131.25 feet to the beginning of a non-tangent curve, concave easterly, having a radius of 50.00 feet, the center of which bears South 48 degrees 01 minutes 50 seconds East;

Thence, southerly along said curve, through a central angle of 64 degrees 56 minutes 41 seconds, an arc length of 56.67 feet;

Thence, South 44 degrees 17 minutes 29 seconds West, a distance of 118.88 feet;

Thence, South 48 degrees 02 minutes 48 seconds East, a distance of 100.05 feet;

Thence, South 44 degrees 49 minutes 21 seconds East, a distance of 98.40 feet;

Thence, South 33 degrees 08 minutes 35 seconds East, a distance of 41.77 feet;

Thence, South 62 degrees 12 minutes 41 seconds West, a distance of 49.52 feet;

Thence, South 27 degrees 47 minutes 19 seconds East, a distance of 115.00 feet to the beginning of a non-tangent curve, concave easterly, having a radius of 55.00 feet, the center of which bears South 24 degrees 13 minutes 46 seconds East;

Thence, southerly along said curve, through a central angle of 114 degrees 26 minutes 03 seconds, an arc length of 109.85 feet to the beginning of a tangent reverse curve, concave southwesterly, having a radius of 25.00 feet;

Thence, southeasterly along said curve, through a central angle of 01 degrees 35 minutes 36 seconds, an arc length of 0.70 feet;

Thence, South 62 degrees 12 minutes 41 seconds West, a distance of 113.60 feet;

Thence, South 27 degrees 47 minutes 19 seconds East, a distance of 260.00 feet;

Thence, North 62 degrees 12 minutes 41 seconds East, a distance of 8.03 feet;

Thence, South 27 degrees 47 minutes 19 seconds East, a distance of 120.00 feet;

Thence, South 62 degrees 12 minutes 41 seconds West, a distance of 648.86 feet;

Thence, North 38 degrees 29 minutes 13 seconds West, a distance of 68.59 feet;

Thence, North 54 degrees 03 minutes 14 seconds West, a distance of 69.55 feet;

Thence, North 69 degrees 43 minutes 43 seconds West, a distance of 69.55 feet;

Thence, North 89 degrees 51 minutes 14 seconds West, a distance of 137.22 feet;

Thence, North 00 degrees 08 minutes 46 seconds East, a distance of 0.84 feet;

Thence, North 89 degrees 51 minutes 14 seconds West, a distance of 460.00 feet;

Thence, North 89 degrees 51 minutes 09 seconds West, a distance of 70.00 feet;

Thence, North 89 degrees 51 minutes 14 seconds West, a distance of 59.31 feet to the **POINT OF BEGINNING**;

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any other land division restrictions. This description is for zoning purposes only and not to convey real property.

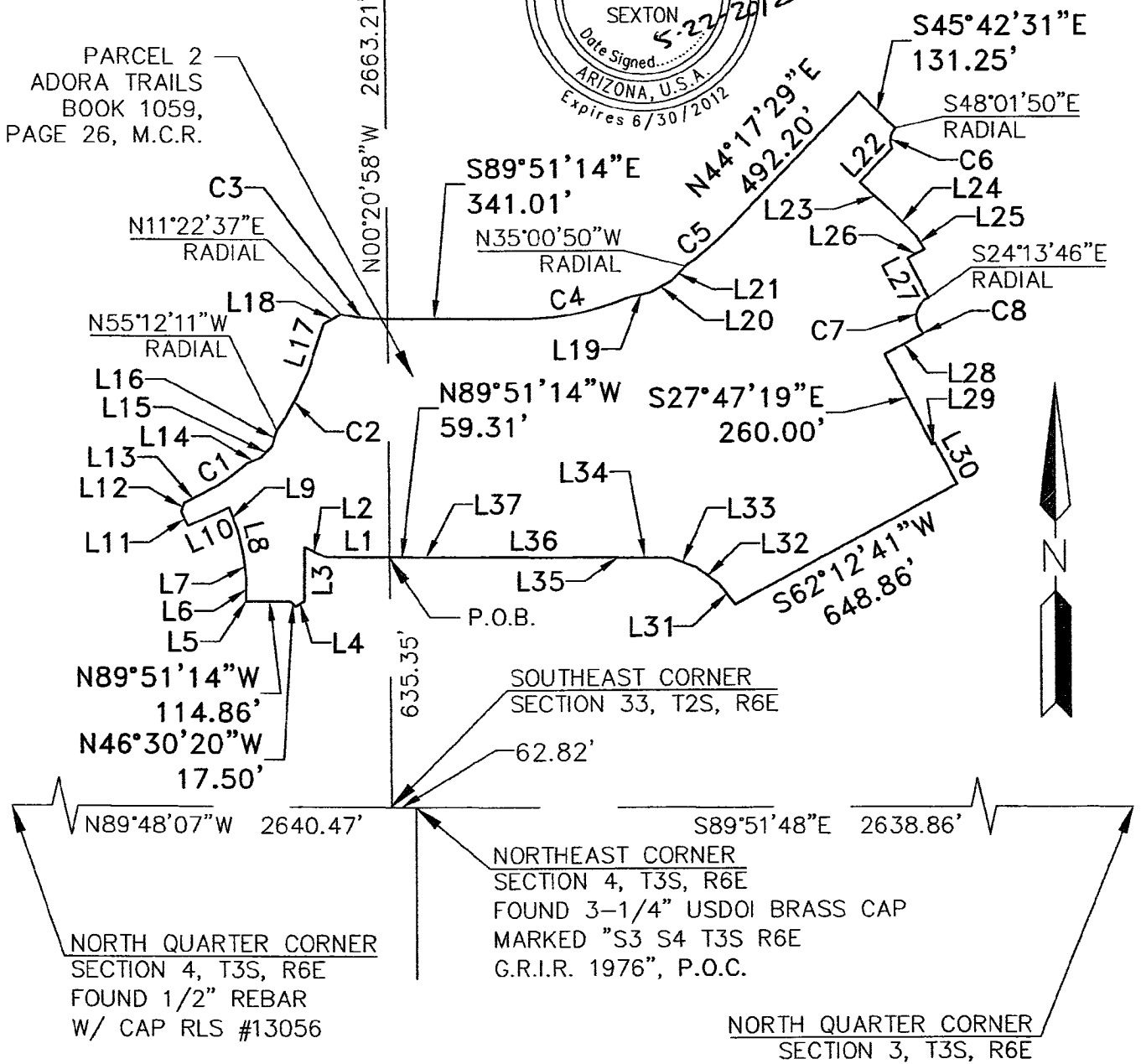
The above described parcel contains 1,275,678 Square Feet (29.2855 acres) more or less.

Prepared by: HilgartWilson
1661 East Camelback Road
Suite 275
Phoenix, AZ
Job No. 1062
May 22, 2012



EAST QUARTER CORNER
SECTION 33, T2S, R6E

PARCEL 2
ADORA TRAILS
BOOK 1059,
PAGE 26, M.C.R.



SITE CONTAINS 1,275,678 S.F. OR
29.2855 ACRES MORE OR LESS.

SHEET 1 OF 2


PROJ.#:	1062	ADORA TRAILS - PARCEL 5 ZONING BOUNDARY GILBERT, ARIZONA	hilgartwilson ENGINEERS-PLANNERS-SURVEYORS 1661 E. CAMELBACK RD., STE. 275 PHOENIX, AZ 85016 PH 602.490.0535 FAX 602.325.0161
DATE:	05/22/12		
SCALE:	1"=400'		
DRAWN BY:	JDL	EXHIBIT "A"	
CHECKED BY:	MJS		

LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N89°51'14"W	160.69'	L26	S62°12'41"W	49.52'
L2	N64°23'31"W	60.92'	L27	S27°47'19"E	115.00'
L3	S00°08'46"W	138.28'	L28	S62°12'41"W	113.60'
L4	S60°48'08"W	25.71'	L29	N62°12'41"E	8.03'
L5	N00°08'46"E	3.14'	L30	S27°47'19"E	120.00'
L6	N00°13'55"W	57.30'	L31	N38°29'13"W	68.59'
L7	N07°25'33"W	61.46'	L32	N54°03'14"W	69.55'
L8	N13°30'59"W	61.46'	L33	N69°43'43"W	69.55'
L9	N20°27'16"W	61.46'	L34	N89°51'14"W	137.22'
L10	S66°30'01"W	115.76'	L35	N00°08'46"E	0.84'
L11	N25°36'46"W	39.28'	L36	N89°51'14"W	460.00'
L12	N18°35'07"E	23.33'	L37	N89°51'09"W	70.00'

L13	N63°35'07"E	50.04'	CURVE TABLE			
L14	N67°44'42"E	41.39'	CURVE #	RADIUS	DELTA	LENGTH
L15	N42°23'47"E	41.00'	C1	536.00'	14°59'15"	140.21'
L16	N17°02'52"E	41.39'	C2	760.88'	13°00'11"	172.68'
L17	N17°46'32"E	127.66'	C3	609.68'	11°30'16"	122.42'
L18	N60°48'51"E	50.34'	C4	740.00'	22°46'12"	294.08'
L19	N77°55'26"E	51.02'	C5	740.00'	10°41'41"	138.13'
L20	N61°10'52"E	62.00'	C6	50.00'	64°56'41"	56.67'
L21	N44°26'17"E	51.02'	C7	55.00'	114°26'03"	109.85'
L22	S44°17'29"W	118.88'	C8	25.00'	1°35'36"	0.70'
L23	S48°02'48"E	100.05'				
L24	S44°49'21"E	98.40'				
L25	S33°08'35"E	41.77'				



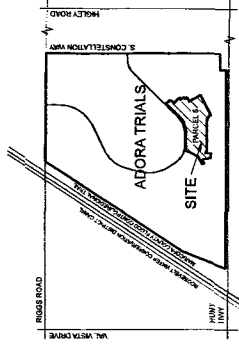
SHEET 2 OF 2

PROJ.#:	1062	ADORA TRAILS - PARCEL 5 ZONING BOUNDARY GILBERT, ARIZONA	 ENGINEERS-PLANNERS-SURVEYORS 1661 E. CAMELBACK RD., STE. 275 PHOENIX, AZ 85016 PH 602.490.0535 FAX 602.325.0161
DATE:	05/22/12		
SCALE:	NONE		
DRAWN BY:	JDL	EXHIBIT "A"	
CHECKED BY:	MJS		



ZONING EXHIBIT

Case #: Z12-07
Exhibit 2: Zoning Map
September 6, 2012



VICINITY MAP

DEVELOPER

TAYLOR MORRISON INC.
10000 W. WEST OAKWAY
SCOTTSDALE, ARIZONA 85258
480.344.7000
CONTACT: LYNNIE DUGAN

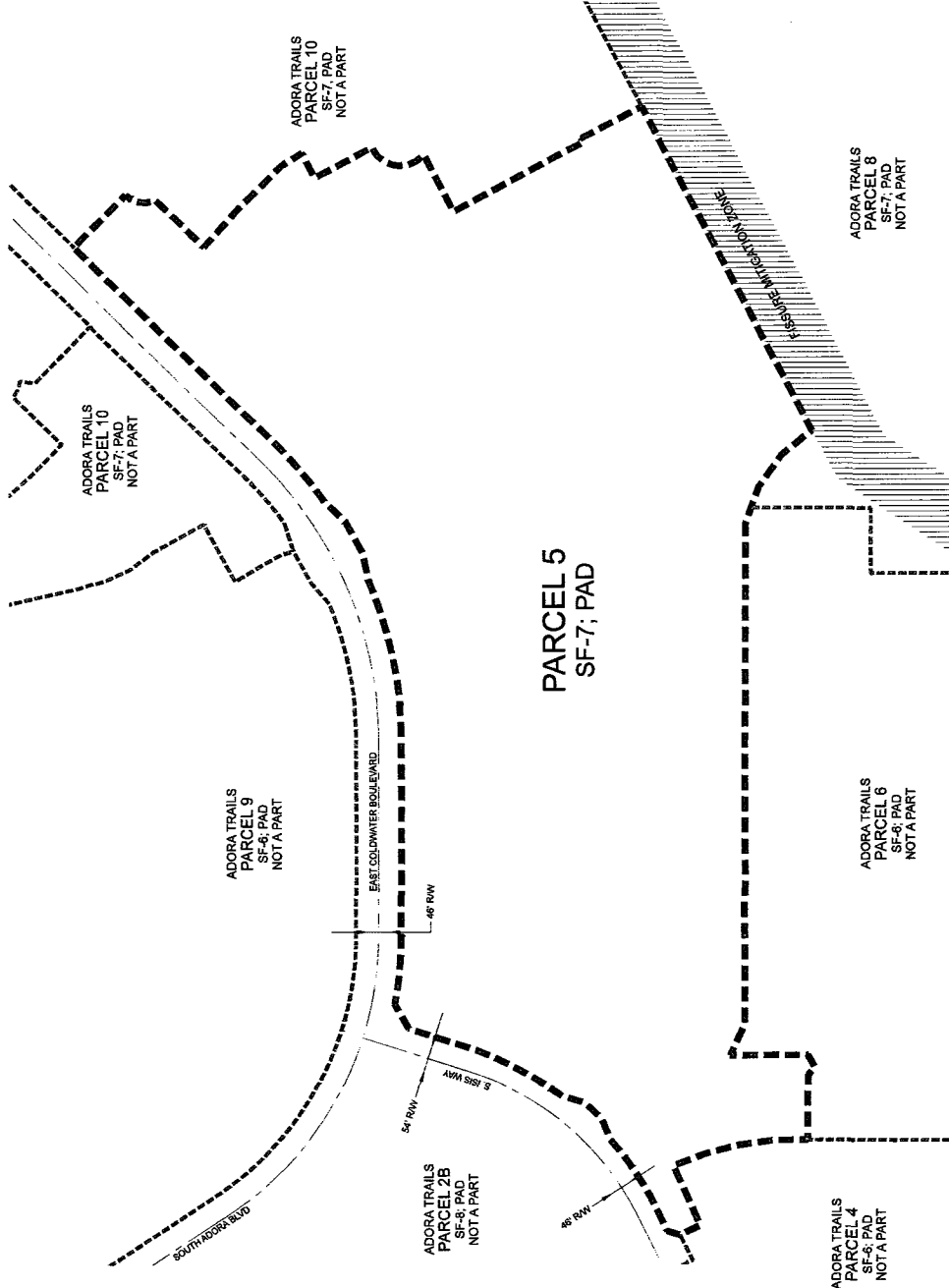
CONSULTANT

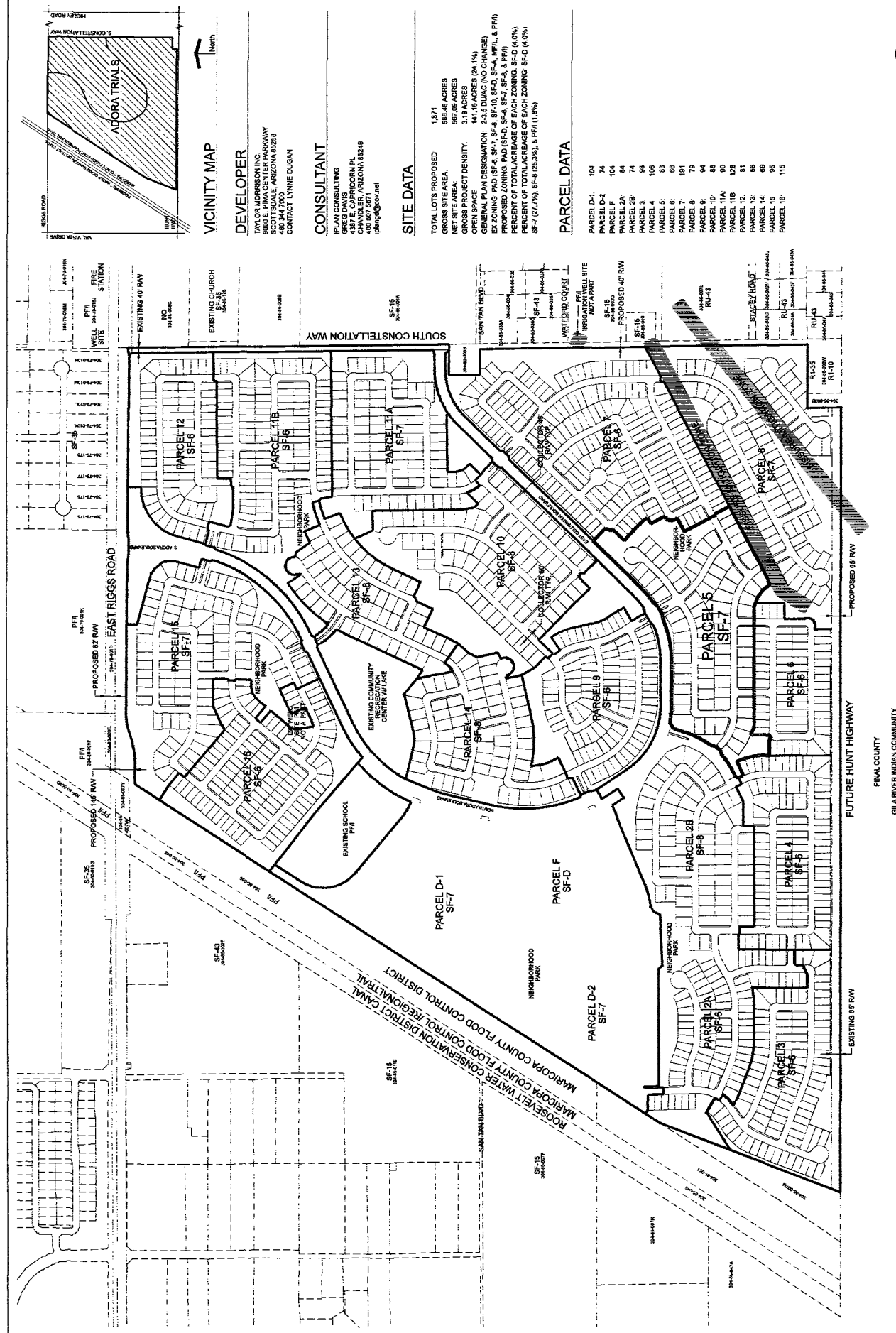
IPLAN CONSULTING
10000 W. WEST OAKWAY
SCOTTSDALE, ARIZONA 85258
480.344.7000
CONTACT: LYNNIE DUGAN

SITE DATA

EXISTING GENERAL PLAN
EXISTING ZONING
PROPOSED ZONING
GROSS SITE AREA
NET SITE AREA
LOT YIELD (TOTAL)
OPEN SPACE
DENSITY

RESIDENTIAL > 2-3.5 DU/AC
SF-7
SF-7
29.28 ACRES
29.28 ACRES
83 LOTS
7.88 ACRES
2.83 DU/AC





When recorded mail to:

Town of Gilbert

Town Clerk

50 East Civic Center Drive

Gilbert AZ 85296

**OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20120811732 09/10/2012 10:48 N
ELECTRONIC RECORDING
Gilbert744-5-1-1--**

This area reserved for County Recorder

CAPTION HEADING
Ordinance No. 2386

DO NOT REMOVE

Exhibits 1, 2 and 3 which were adopted with and are incorporated into Ordinance No. 2386 are available for viewing in the Office of the Town Clerk, Town of Gilbert, 50 East Civic Center Drive Gilbert AZ 85296.

Exhibit 1
Exhibit 2
Exhibit 3

Legal Description
Zoning Exhibit (map)
Amended Development Plan of the Adora Trails PAD,
Dated September 6, 2012